

Agricultural Marketing Service, USDA

§51.1911

size and quality of the contents of the container. (See §51.1903.)

(a) Incident to proper grading and handling, except for maturity, not more than 5 percent, by count, of the tomatoes in any lot may fail to meet the requirements of the grade, including not more than 1 percent for tomatoes which are affected by soft rot.

SIZE AND MATURITY CLASSIFICATION

§51.1903 Size classification.

The following terms may be used for describing the size of the tomatoes in any lot:

Small	Medium
Under 3 oz	3 to 6 oz., inc.
Large	Very Large
Over 6 to 10 oz., inc	Over 10 oz.

(a) The tomatoes may also be classed in terms of combinations of the above sizes, as "Small to Medium," "Medium to Large," "Small to Very Large," etc., in accordance with the facts.

(b) Incident to proper sizing, not more than 10 percent, by count, of the tomatoes in any lot may vary from the size specified.

§51.1904 Maturity classification.

Tomatoes which are characteristically red when ripe, but are not over-ripe or soft, may be classified for maturity as follows:

(a) Turning, when at least some part of the surface of the tomato, but less than one-half of the surface in the aggregate, is covered with pink color.

(b) Pink, when the tomato shows from one-half to three-fourths of the surface in the aggregate covered with pink or red color.

(c) Hard ripe, when the tomato shows three-fourths or more of the surface in the aggregate covered with pink or red color.

(d) Firm ripe, when the tomato shows three-fourths or more of the surface in the aggregate covered with red color characteristic of reasonably well ripened tomatoes.

(e) Incident to proper maturity determination, not more than a total of 10 percent, by count, of the tomatoes in any lot may fail to meet the maturity specified: *Provided*, That not more than

5 percent shall be allowed for tomatoes which are immature or are overripe or soft.

OFF-GRADE

§51.1905 Off-Grade tomatoes.

Tomatoes which fail to meet the requirements of either of the foregoing grades shall be Off-Grade tomatoes.

DEFINITIONS

§51.1906 Similar varietal characteristics.

Similar varietal characteristics means that the tomatoes are alike as to color, i.e., bright red varieties shall not be mixed with varieties which have a purplish tinge.

§51.1907 Mature.

Mature means that the tomato has reached the stage of development which will insure a proper completion of the ripening process.

§51.1908 Well developed.

Well developed means that the tomato shows normal growth. Tomatoes which are ridged and peaked at the stem end, contain dry tissue and usually open spaces, are not considered well developed.

§51.1909 Fairly well formed.

Fairly well formed means that the tomato is not decidedly kidney-shaped, lopsided, elongated, angular, or otherwise deformed.

§51.1910 Fairly smooth.

Fairly smooth means that the tomato is not conspicuously ridged or rough.

§51.1911 Damaged.

Damaged means any defect which materially affects the appearance, or edible, shipping or keeping quality of the tomatoes. Any one of the following defects or any combination thereof, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

(a) Cuts which are not shallow, not well healed, or when more than ½ inch in length.

(b) Puffiness if the open space in one or more locules materially affects the

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appearance when the tomato is cut through the center at right angles to a line running from the stem to the blossom end.

(c) *Catfaces*. These are irregular, dark, leathery scars at the blossom end of the fruit. Such scars damage the tomato when they are rough or deep, or when channels extend into the locule, or when they are fairly smooth and greater in area than a circle $\frac{3}{8}$ inch in diameter on a $2\frac{1}{2}$ inch tomato. Smaller tomatoes shall have lesser areas of fairly smooth catfaces and larger tomatoes may have greater areas, provided that such catfaces do not affect the appearance of the tomatoes to a greater extent than that caused by fairly smooth catfaces which are permitted on a $2\frac{1}{2}$ inch tomato.

(d) *Growth cracks*. These are ruptures or cracks radiating from the stem scar, or concentric to the stem scar. They damage the tomato when not well healed, or when more than $\frac{1}{2}$ inch in length measured from the margin of the stem scar; except that very narrow, well healed cracks concentric to the stem scar shall not be considered as damage unless they are so numerous as to damage the appearance of the fruit.

(e) Scars (except catfaces), when dark colored and shallow and aggregating more than $\frac{1}{4}$ inch in diameter on a tomato $2\frac{1}{2}$ inches in diameter, or lighter colored shallow scars covering a greater area when they detract from the appearance to a greater extent than a dark-colored, shallow scar $\frac{1}{4}$ inch in diameter. Smaller tomatoes shall have lesser areas of scars and larger tomatoes may have greater areas: *Provided*, That such scars do not affect the appearance of the tomatoes to a greater extent than that caused by scars which are permitted on a $2\frac{1}{2}$ -inch tomato. A scar which penetrates the wall of the tomato shall be considered as damage.

(f) Dry rot such as dry type *Macrosporium* or *Phoma*, when the spot is not adjacent to the stem scar, or when adjacent to the stem scar and more than $\frac{3}{16}$ inch in diameter.

§51.1912 Badly misshapen.

Badly misshapen means that the tomato is so badly deformed that its appearance is seriously affected.

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§51.1913 Serious damage.

Serious damage means any defect which seriously affects the appearance, or edible, shipping, or keeping quality of the tomatoes. Any one of the following defects or any combination thereof, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as serious damage:

(a) Soft ripe tomatoes or tomatoes affected by the soft rot.

(b) Fresh holes or cuts, or any holes or cuts through the tomato wall, or healed cuts which seriously affect the appearance of the tomato.

(c) Tomatoes showing any effects of freezing.

(d) Puffiness which causes the tomato to be distinctly light in weight.

(e) Growth cracks, when not well healed, or when so extensive, deep or discolored that the appearance of the tomato is seriously affected.

(f) Scars (except catfaces), when dark colored and shallow and aggregating more than $\frac{1}{2}$ inch in diameter on a tomato $2\frac{1}{2}$ inches in diameter, or lighter colored, shallow scars covering a greater area when they detract from the appearance to a greater extent than a dark-colored, shallow scar $\frac{1}{2}$ inch in diameter. Smaller tomatoes shall have lesser areas of scars and larger tomatoes may have greater areas: *Provided*, That such scars do not affect the appearance of the tomatoes to a greater extent than that caused by scars which are permitted on a $2\frac{1}{2}$ -inch tomato.

(g) Dry rot such as dry type *Macrosporium* or *Phoma*, when the spot is not adjacent to the stem scar, or when adjacent to the stem scar and more than $\frac{1}{4}$ inch in diameter.

(h) Fruit actually infested with worms.

Subpart—United States Standards for Grades of Filberts in the Shell ¹

SOURCE: 35 FR 11453, July 17, 1970, unless otherwise noted. Redesignated at 42 FR 32514.

¹Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug and Cosmetic Act or with other applicable State laws and regulations.